

Remarks and Arguments

Claims 15-34 and 38-45 were pending prior to this amendment. No claims have been added or canceled. Applicant has amended each of the independent claims 15 and 38 to now recite:

"removing, from the remaining moil integral with the body, a lower portion of the moil in which the barrier material is present, to form the container"

Applicant respectfully asserts that this amendment is fully responsive to the Examiner's statement that Applicant's prior argument over Beck was not persuasive because: "the claim does not require both removing steps to be carried out on the same article or any two-step process on the same article." See response to arguments in the 18 April 2008 office communication.

Thus, Applicant respectfully asserts that the present claims are now in condition for allowance. If the Examiner has any questions it is respectfully requested that she telephone the undersigned attorney.

Reconsideration

It is believed that all claims of the present application are now in condition for allowance.

Reconsideration of this application is respectfully requested. If the Examiner believes that a teleconference would expedite prosecution of the present application the Examiner is invited to call the Applicant's undersigned attorney at the Examiner's earliest convenience.

Any amendments or cancellation or submissions with respect to the claims herein is made without prejudice and is not an admission that said canceled or amended or otherwise affected subject matter is not patentable. Applicant reserves the right to pursue canceled or amended subject matter in one or more continuation, divisional or continuation-in-part applications.

To the extent that Applicant has not addressed one or more assertions of the Examiner because the foregoing response is sufficient, this is not an admission by Applicant as to the accuracy of such assertions.

Please grant any extensions of time required to enter this response and charge any fees in addition to fees submitted herewith that may be required to enter/allow this response and any accompanying papers to our deposit account 02-3038 and credit any overpayments thereto.

Respectfully submitted,

/Therese A. Hendricks/

Date: 2008-07-14

Therese A. Hendricks, Reg. No. 30,389
Rissman Jobse Hendricks & Oliverio, LLP
Customer Number 21127
Tel: (617) 367-4600 Fax: (617) 367-4656